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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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**BRANDON SALUS, ALAN FELIX
IPANAQUE CORDOVA, and BRANDON
RUCKDASHEL on behalf of themselves and
others similarly situated,**

INDEX NO: 07cv03142-GBD-DCF

NOTICE OF MOTION

Plaintiffs,

v.

**TSE GROUP LLC d/b/a B.B. KING BLUES
CLUB AND GRILL and TSION
BENSUSAN**

Defendants.

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PLEASE TAKE NOTICE that upon the accompanying Motion together with the Settlement Agreement and all agreements attached thereto, the undersigned will and hereby do move this Court before the Honorable George B. Daniels, United States District Court, Southern District of New York, 500 Pearl Street, New York, NY 10007, on a date to be determined by the Court or as soon thereafter as counsel may be heard for

an order preliminarily approving the class action settlement agreement and notice to the class.

Dated: December 21, 2007
New York, New York

JOSEPH & HERZFELD LLP

/s/ D. Maimon Kirschenbaum

By: D. Maimon Kirschenbaum (DK-2338)
Charles E. Joseph (CJ-9442)

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